

REMARKS

Rejection under 35 U.S.C §102

Claims 1, 3, 5, 9, 12, 13, 15, 17, 21, and 24-26 stand rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,852,622 to Meissner. In particular, the Examiner finds that, with regard to claims 1, 5, 13 and 17, Meissner discloses a core of lasing medium having an outer surface in Fig. 5 and comprising crystalline or glass material doped with ions (col. 9, lines 10-31), and a cladding of a laser-inactive material at col. 9, lines 10-31, the cladding being diffusion-bonded to the outer surface of the core (col. 3, lines 9-17). Applicants have reviewed the reference with care, paying particular attention to the passages cited, and are compelled to respectfully disagree with the Examiner's characterization of this reference. Claim 1, as amended herein, claims a solid state waveguided structure comprising "a core fabricated of a lutetium-aluminum-garnet material doped with ions, said core having an outer surface." Meissner does not disclose nor allude to such a waveguided structure. Applicants therefore respectfully submit that claim 1 is in fact patentable over Meissner. Should the Examiner disagree, Applicants respectfully request him to clearly and specifically point out where Meissner discloses this feature in accordance with 37 C.F.R. 1.104(c)2.

Claims 3, 5, 9, and 12 are dependent from claim 1, and thus are also allowable.

Claim 13, as amended herein, is directed to a method for fabricating a solid state waveguided structure comprising "providing a core fabricated of a lutetium-aluminum-garnet material doped with ions, said core having an outer surface." As previously discussed, Meissner does not disclose nor allude to a method of forming such a waveguided structure. Applicants therefore respectfully submit that claim 13 is also patentable over Meissner. Claims 15, 17, 21, and 24-26 are dependent from claim 13, and thus are also allowable.

Rejection under 35 U.S.C §103

Claims 4 and 16 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Meissner '622. Claim 4 is dependent from claim 1, and claim 16 is dependent from claim 13. As

previously discussed, claims 1 and 13 as amended herein are allowable, and therefore claims 4 and 16 are also allowable.

Claims 2, 6-8, 10-11, 14, 18-20, and 22-23 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Meissner '622 in view of U.S. Pat. No. 5,936,984 to Meissner. Claims 2, 6-8, and 10-11 are dependent from claim 1, and claims 14, 18-20, and 22-23 are dependent from claim 13. As previously discussed, claims 1 and 13 as amended herein are allowable, and therefore claims 2, 6-8, 10-11, 14, 18-20, and 22-23 are also allowable.

In view of the above, Applicants submit that the application is now in condition for allowance and respectfully urge the Examiner to pass this case to issue.

The Commissioner is authorized to charge any additional fees which may be required or credit overpayment to deposit account no. 12-0415. In particular, if this response is not timely filed, the Commissioner is authorized to treat this response as including a petition to extend the time period pursuant to 37 CFR 1.136(a) requesting an extension of time of the number of months necessary to make this response timely filed and the petition fee due in connection therewith may be charged to deposit account no. 12-0415.

I hereby certify that this correspondence is being deposited with the United States Post Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

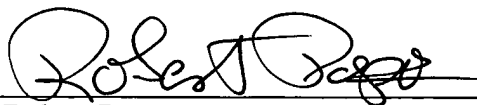
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(Date of Transmission)

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11/19/03
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